



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2661 #

In re Patent Application of:

Daniel P. Lyon, et al.

Serial No.: 09/911,745

Filed: July 23, 2001

For: PROCESSOR DEVICE FOR TERMINATING  
AND CREATING SYNCHRONOUS  
TRANSPORT SIGNALS

) Examiner: Not Assigned

) Group Art Unit: 2661

) Attorney Docket No.: 135122-C2

) Date: December 11, 2001

RECEIVED

DEC 28 2001

Technology Center 2600

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**THIRD INFORMATION DISCLOSURE STATEMENT**

Enclosed is an Information Disclosure Statement form listing items of information found that relate to the subject matter of the above patent application and copies of the cited items of information. A concise explanation of the relevance of each reference is specifically pointed out hereinafter.

In accordance with 37 CFR 1.97(c)(2), this Information Disclosure statement is accompanied by the appropriate fee set forth in 37 CFR 1.17(p). Pursuant to 37 CFR 1.97(g) and (h), Applicants make no representation that these documents qualify as prior art or that these references are material to patentability of the present application or that a search has been made.

12/27/2001 JADD01 00000004 09911745

01 FC:126

180.00 OP

DSC iMTN Product Overview, No. 6-601, Issue 1, June 16, 1992 is a marketing paper discussing an Integrated Multi-Rate Transport Node having tributary signal processors (see e.g. page 4).

DSC Communications Corporation Preliminary Proposal Number 2248810 discusses equipment relating to an integrated multi-rate transport node. This document is believed to have been provided only to Fulcrum Communications, LTD. under conditions of secrecy and is clearly labeled as "DSC Confidential".

Nondisclosure Agreement dated July 7, 1992 is the nondisclosure agreement under which Preliminary Proposal Number 2248810 falls.

DSC Proposal Number 2339020 discusses equipment relating to the use of synchronous payload envelopes in an integrated multi-rate transport node bandwidth management system. This document is believed to have been provided only to Southern New England Telephone under conditions of secrecy. It clearly indicates that dissemination is prohibited.

DSC Proposal Number 2322810 discusses equipment relating to the use of synchronous payload envelopes in an integrated multi-rate transport node bandwidth management system. This document is believed to have been provided only to Unitel under conditions of secrecy. It clearly indicates that dissemination is prohibited.

DSC Communications Corporation Proposal Number USWTiMTN discusses equipment relating to the use of synchronous payload envelopes in an integrated multi-rate

transport node bandwidth management system. This document is believed to have been provided only to US West under conditions of secrecy.

MCI Telecommunications Corp. Purchase Order Number 18 004667 is a purchase order for various components of a DEX cross connect system and an integrated multi-rate transport node system.

DSC Communications Corporation Wideband Matrix Center Stage (WMC) Subsystem Design Specification is an internal company document of DSC Communications Corporation, a predecessor-in-interest to Alcatel USA, Inc., the assignee of the present application. This document is labeled as proprietary on page i. This document is not believed to have been publicly disclosed prior to the critical date. The document relates to the state of development of the wideband matrix center stage subsystem of the integrated multi-rate transport node as of May 15, 1992.

DSC Communications Corporation Broadband Matrix Subsystem Design Specification Document Number: 065-3418-002 is an internal company document of DSC Communications Corporation, a predecessor-in-interest to Alcatel USA, Inc., the assignee of the present application. This document is labeled as proprietary on page i. This document is not believed to have been publicly disclosed prior to the critical date. The document relates to the state of development of the broadband matrix subsystem of the integrated multi-rate transport node as of April 6, 1992.

DSC Communications Corporation Wideband Low Density TSP Subsystem Design Specification Document Number: 065-3418-008 is an internal company document of DSC Communications Corporation, a predecessor-in-interest to Alcatel USA, Inc., the assignee of the

present application. This document is labeled as proprietary on page i. This document is not believed to have been publicly disclosed prior to the critical date. The document relates to the state of development of the wideband low density TSP of the integrated multi-rate transport node as of December 18, 1992.

DSC DEX ECS CROSS-CONNECT SYSTEMS STRATEGIC PLANS is a confidential internal company document of DSC Communications Corporation, a predecessor-in-interest to Alcatel USA, Inc., the assignee of the present application. The document is labeled "STRICTLY PRIVATE", a label used by the company for confidential and proprietary documents. This document is not believed to have been publicly disclosed prior to the critical date. The document relates to the state of development of cross-connect systems as of September 5, 1991.

DEXCS INTEGRATED SERVICES TRANSPORT NODE (DEXCS-ISTN) is a confidential internal company document of DSC Communications Corporation, a predecessor-in-interest to Alcatel USA, Inc., the assignee of the present application. The document is labeled "STRICTLY PRIVATE", a label used by the company for confidential and proprietary documents. This document is not believed to have been publicly disclosed prior to the critical date. The document relates to the state of development of the integrated services transport node (later known as the integrated multi-rate transport node) as of January 7, 1992.

INTEGRATED MULTI-RATE TRANSPORT NODE (IMTN) is a confidential internal company document of DSC Communications Corporation, a predecessor-in-interest to Alcatel USA, Inc., the assignee of the present application. The document is labeled "STRICTLY PRIVATE", a label used by the company for confidential and proprietary documents. This document is not believed to have been publicly disclosed prior to the critical date. The

document relates to the state of development of the integrated multi-rate transport node as of February 1992.

DSC CROSS-CONNECT SYSTEMS EVOLUTION is a confidential company presentation of DSC Communications Corporation, a predecessor-in-interest to Alcatel USA, Inc., the assignee of the present application. The document is labeled "DSC AND ITS CLIENTS USE ONLY". This document is not believed to have been publicly disclosed prior to the critical date, although it is believed to have been presented to Ameritech under an obligation of secrecy. The document relates to the state of development of cross-connect systems as of April 14, 1992.

Ameritech Services Nondisclosure Agreement is believed to be the nondisclosure agreement under which the above presentation was made.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Timothy F. Loomis", is written over a horizontal line.

By: Timothy F. Loomis  
Reg. No. 37,383

Law Offices of Timothy F. Loomis  
2932 Hagen Drive  
Plano, TX 75025  
972-747-0706; 972-747-9996 Fax



PTO/SB/17 (XX-XX)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$180.00

## Complete if Known

Application Number 09/911,745

Filing Date July 23, 2001

First Named Inventor Daniel P. Lyon

Examiner Name Not Assigned

Group Art Unit 2661

Attorney Docket No. 135122-C2

RECEIVED

DEC 28 2001

Technology Center 2600

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR § 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

### 2. EXTRA CLAIM FEES

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** =		
Independent Claims	-3** =		
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

\$0.00

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	180.00
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL (3)

\$180.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)	Timothy F. Loomis	Registration No. (Attorney/Agent)	37,383	Telephone	(972) 747-0706
Signature		Date	December 11, 2001		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

### Complete if Known

Application Number 09/911,745  
Filing Date July 23, 2001  
First Named Inventor Daniel P. Lyon  
Group Art Unit 2661  
Examiner Name Not Assigned  
Attorney Docket Number 135122-C2

RECEIVED

DEC 28 2001

Technology Center 2600

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A					
	B					
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	U							
	V							
	W							
	X							
	Y							
	Z							
	AA							
	BB							
	CC							
	DD							

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → +

PTO/SB/08B (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

### Complete if Known

Application Number	09/911,745
Filing Date	July 23, 2001
First Named Inventor	Daniel P. Lyon
Group Art Unit	2661
Examiner Name	Not Assigned
Attorney Docket Number	135122-C2

RECEIVED

DEC 28 2001

Technology Center 2600

### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	EE	DSC iMTN Product Overview, No. 6-601, Issue 1, June 16, 1992, 5 pages, DSC Communications Corporation, Plano, Texas, USA.	
	FF	DSC COMMUNICATIONS CORPORATION, Preliminary Proposal Number 2248810, September 7, 1992, 142 pages, DSC Communications Corporation, Plano, Texas, USA.	
	GG	DSC COMMUNICATIONS CORPORATION, Nondisclosure Agreement, July 7, 1992, 3 pages, DSC Communications Corporation, Plano, Texas, USA.	
	HH	DSC Proposal 2339020, December 15, 1992, 33 pages, DSC Communications Corporation, Plano, Texas, USA.	
	II	DSC Proposal 2322810, December 7, 1992, 25 pages, DSC Communications Corporation, Plano, Texas, USA.	
	JJ	Proposal Number USWTiMTN, November 10, 1992, 15 pages, DSC Communications Corporation, Plano, Texas, USA.	
	KK	MCI Telecommunications Corporation, Purchase Order Number 18 004667, September 17, 1992, 19 pages, MCI Telecommunications Corporation, Reston, Virginia, USA.	
	LL	DSC COMMUNICATIONS CORPORATION, Wideband Matrix Center Stage (WMC), Subsystem Design Specification, May 15, 1992, 56 pages, Issue Number 0.1.	
	MM	DSC COMMUNICATIONS CORPORATION, Broadband Matrix, Subsystem Design Specification, Document Number 065-3418-002, April 6, 1992, 78 pages, Issue Number 1.0.	
	NN	DSC COMMUNICATIONS CORPORATION, Wideband Low Density TSP, Subsystem Description Specification, Document Number 065-348-008, December 18, 1992, 84 pages, Issue Number 1.0.	
	OO	DSC COMMUNICATIONS CORPORATION, DSC DEX ECS Cross-Connect Systems, Strategic Plans, September 5, 1991, 38 pages.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



+

+

Substitute for form 1449B/PTO

**Complete if Known**

*(use as many sheets as necessary)*

Sheet	3	of	3
-------	---	----	---

<b>Application Number</b>	09/911,745
---------------------------	------------

09/911.745

<b>Filing Date</b>	July 23, 2001
--------------------	---------------

July 23, 2001

<b>First Named Inventor</b>	Daniel P. Lyon
-----------------------------	----------------

Daniel P. Lyon

Group Art Unit	2661
----------------	------

2661

Examiner Name	Not Assigned
---------------	--------------

Not Assigned

Attorney Docket Number	135122-C2
------------------------	-----------

135122-C2

~~RECEIVED~~

DEC 28 2001

Technology Center 2000

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

+